

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN**

SHIRLEY HYMAN, individually and  
on behalf of all others similarly situated,

Plaintiff,

v.

TV GUIDE MAGAZINE, LLC, a  
Delaware limited liability company,

Defendant.

Case No.: 2:15-cv-13769

**PLAINTIFF’S NOTICE OF  
DECISION IN *COULTER-  
OWENS V. TIME*, NO. 16-1321/16-  
1380**

Plaintiff Shirley Hyman respectfully provides the Court with notice of the Sixth Circuit’s decision in the matter of *Coulter-Owens v. Time, Inc.*, Nos. 16-1321/1380 (Sept. 22, 2016).<sup>1</sup> On September 22, 2016, the Sixth Circuit denied Time, Inc.’s Motion to Dismiss, where Time had advanced the Article III issue underlying this Court’s August 22, 2016 order. (*See* dkt. 32 (Administratively staying case because “any ruling on the Defendant’s Motion to Dismiss would be premature while the Sixth Circuit hears *Coulter-Owens v. Time, Inc.*, Nos. 16-132 & 16-1380 . . . [where] the question of whether a Michigan Video Rental Privacy Act violation provides Article III standing is before the court of appeals.”).)

Accordingly, while the appeal in *Coulter-Owens* is still being briefed—a process that will not be completed until January 2017—the Article III standing

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<sup>1</sup> A copy of the Sixth Circuit’s Order is attached hereto as Exhibit A.

issue is not presently before the Sixth Circuit.

Date: September 23, 2016

Respectfully submitted,

**SHIRLEY HYMAN**, individually and on  
behalf of all others similarly situated,

/s/ Benjamin S. Thomassen

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*Counsel for Plaintiff and the Proposed  
Class*

**CERTIFICATE OF SERVICE**

I, Benjamin S. Thomassen, an attorney, certify that on September 23, 2016, I served the above and foregoing document by causing true and accurate copies of such paper to be filed and transmitted to all counsel of record via the Court's CM/ECF electronic filing system.

/s/ Benjamin S. Thomassen